

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
To Revise Its Electric Marginal Costs, Revenue
Allocation, and Rate Design.

(U 39 M)

Application 04-06-024
(Filed June 17, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING MOTIONS, EXHIBITS AND SUBMISSION**

Exhibit 55 was identified on July 12, 2005, with service of Exhibit 55 expected on or about July 20, 2005. Absent objection, Exhibit 55 would be received as evidence two days after service, and the proceeding submitted for Commission decision on all remaining issues but one (i.e., the agricultural class definition issue). (See Reporter's Transcript, Vol. 8, pp. 195-199.)

Pacific Gas and Electric Company (PG&E) served Exhibit 55 on July 20, 2005. No objections were filed. Exhibit 55 was received on July 22, 2005.

On July 22, 2005, PG&E requested that the proceeding not be submitted pending three items:

1. Response to CCDC: PG&E file a response to the July 19, 2005 comments of the California Clean DG Coalition (CCDC) regarding the proposed Supplemental Light and Power Settlement;
2. Motion on Exhibit 43: PG&E file a motion regarding an amendment to Exhibit 43 (Supplemental Residential Settlement); and
3. Gas Baseline: PG&E submit revised gas baseline quantities.

On July 25, 2005, I granted PG&E's request. The three items have now been completed. These are discussed below, along with an additional motion.

Response to CCDC: On July 22, 2005, PG&E filed and served a response to the CCDC's comments on the proposed settlement.

Motion on Exhibit 43: On July 26, 2005, PG&E filed and served a joint motion of the residential settling parties seeking to amend Exhibit 43, and substitute the amended version of Exhibit 43 for the original Exhibit 43. Settling parties move for amendment of Exhibit 43 to correct inadvertent date references from 2005 to 2006. They also move to correct an inadvertent error relating to medical baseline and Family Electric Rate Assistance (FERA) eligibility, amending the settlement to allow medical baseline customers to be eligible for FERA. (Exhibit 43 at § V.2.5.) No responses were filed.

The motion is granted as provided herein. Exhibit 43 includes an attachment titled "Attachment A to Supplemental Residential Settlement in Application 04-06-024 Illustrative January 1, 2006 Residential Rates." Amended Exhibit 43 attached to the July 26, 2005 motion does not include Attachment A. Because simply substituting amended Exhibit 43 for original Exhibit 43 would eliminate Attachment A, I will today mark the amended Exhibit 43 as Exhibit 43A. Further, I will copy Attachment A from Exhibit 43 and attach it to Exhibit 43A. Unless an objection is filed within two days, Exhibit 43A will be received as evidence two days from today.

Gas Baseline: On August 26, 2005, PG&E served revised gas baseline quantities in a three page document (cover page, one paragraph narrative on page 1, a table with gas baseline target revisions on page 2) marked as Exhibit 56. This revision is consistent with the Supplemental Residential Settlement. (Exhibits 43 and 43A at § V.2.3.) The document will today be identified as

Exhibit 56 and, absent objection filed within two days, will be received as evidence two days from today.

Motion on Exhibit 44: On August 22, 2005, PG&E filed a joint motion of the small light and power settling parties seeking to amend Exhibit 44, and substitute the amended version of Exhibit 44 for the original Exhibit 44. Settling parties move for correction of an inadvertent error relating to rates for commercial customers of California Alternative Rates for Energy (CARE). (Exhibit 44 at § IV.2.3.) No responses were filed.

The motion is granted as provided herein. Exhibit 44 includes an attachment titled “Attachment A to Supplemental Small Light and Power Settlement in Application 04-06-024 Illustrative January 1, 2006 Small Light and Power Rates.” Amended Exhibit 44 attached to the August 22, 2005 motion does not include Attachment A. Because simply substituting amended Exhibit 44 for original Exhibit 44 would eliminate Attachment A, I will today mark the amended Exhibit 44 as Exhibit 44A. Further, I will copy Attachment A from Exhibit 44 and attach it to Exhibit 44A. Unless an objection is filed within two days, Exhibit 44A will be received as evidence two days from today.

Submission: This matter, except for the agricultural class definition, may be submitted upon receipt of Exhibits 43A, 44A, and 56.

IT IS RULED that:

1. Exhibits 43A, 44A and 56 are identified and marked today as described herein, and, absent objection filed and served within two days of today, will be received as evidence two days from today.
2. Unless a timely objection is filed and served regarding receipt of Exhibit 43A, 44A, and/or 56, all issues, except the agricultural class definition issue, are submitted for Commission decision two days from today.

3. An updated Exhibit Index is attached. Comments, if any, on the updated Exhibit Index should be served within two days.

Dated August 31, 2005, at San Francisco, California.

/s/ BURTON W. MATTSON

Burton W. Mattson
Administrative Law Judge

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EXH. NO.	SPONSORING PARTY	DOCUMENT	WITNESS	DATE	
				IDENT.	RECD.
1	PG&E	Executive Summary and Statement of Qualifications (PG&E-1 dated June 17, 2004)	Aguirre, Ansar, Bell, Bryant, Caselli, Coyne, Doughty, Harnett, Levin, MacDonald, Meister, Orans, Pease, Pena, Peterson, Quadrini, Savidge, Seeto, Troup, Vian, Wharton, Yeung	6/9/05	6/9/05
2	PG&E	Marginal Costs (PG&E-2 dated June 17, 2004)	Aguirre, Aldridge, Goebel, Levin, Orans, Peterson, Yeung	6/9/05	6/9/05
2A	PG&E	Corrections to Prepared Marginal Cost Testimony of PG&E (dated December 31, 2004)	Aguirre, Aldridge, Levin, Orans, Peterson	6/9/05	6/9/05
2B	PG&E	Corrections to Prepared Marginal Cost Update Testimony (dated April 8, 2005)	Levin, Peterson	6/9/05	6/9/05
3	PG&E	Revenue Allocation (PG&E-3 dated June 17, 2004)	Ansar, Martyn, Pease, Quadrini, Seeto	6/9/05	6/9/05
4	PG&E	Rate Design (PG&E-4 dated June 17, 2004)—All except Chapters 2A, 2B, 4 Section B, 4 Section G, 5A, Appendix B, Appendix E	Caselli, Coyne, Meister, Ross, Vian	6/9/05	6/9/05
4	PG&E	Rate Design (PG&E-4 dated June 17, 2004)—Chapters 2A, 2B, 4 Section B, 4 Section G, 5A, Appendix B, Appendix E	Bell, Caselli, Coyne, Doughty, Quadrini, Savidge	6/9/05	7/12/05
4A	PG&E	Corrections to Prepared Revenue Allocation	Bell, Martyn,	6/9/05	6/9/05

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				IDENT.	RECD.
		and Rate Design Testimony of PG&E (dated January 10, 2005)	Pease		
5	PG&E	Supplemental Testimony Regarding Amendments to the Scoping Memo (PG&E-5 dated December 6, 2004)— Section C	Pease	6/9/05	7/12/05
6	PG&E	Rate Update (PG&E-6 dated February 18, 2005)— All except Chapter 3 Sections B, C and G	Bell, Doughty, Coyne, Pease,	6/9/05	7/12/05
6	PG&E	Rate Update (PG&E-6 dated February 18, 2005)—Chapter 3 Sections B, C and G	Ross, Quadrini	6/9/05	6/9/05
7	PG&E	Additional and Revised Statement of Qualifications (PG&E-7 dated April 26, 2005)	Aldridge, Goebel, Helgens, Levin, Martyn, Pease, Quadrini, Ross	6/9/05	6/9/05
8	PG&E	Rebuttal Testimony on Marginal Costs (PG&E-8 dated April 26, 2005)	Aguirre, Aldridge, Goebel, Helgens, Levin, Orans	6/9/05	6/9/05
9	PG&E	Rebuttal Testimony on Revenue Allocation (PG&E-9 dated April 26, 2005)	Ansar, Pease, Seeto	6/9/05	6/9/05
10	PG&E	Rebuttal on Rate Design (PG&E-10 dated April 26, 2005)—All except Chapters 2A, 2B, 4 (Section B3), 5	Bell, Caselli, Coyne, Doughty	6/9/05	7/12/05
10	PG&E	Rebuttal on Rate Design (PG&E-10 dated April 26, 2005)—Chapters 2A, 2B, 4 (Section B3), 5	Coyne, Ross , Quadrini	6/9/05	6/9/05
11	PG&E	Supplemental Testimony Updating Revenue Allocation and Rate Design for 2006 Test Year Sales (PG&E-11 dated May 3, 2005)—All except Sections 3 and 4, and Attachments 4 and 5	Coyne, Pease	6/9/05	6/9/05
11	PG&E	Supplemental Testimony Updating Revenue Allocation and Rate Design for 2006 Test Year Sales (PG&E-11 dated May 3, 2005)—Sections 3 and 4, and Attachments 4 and 5	Bell, Coyne	6/9/05	7/12/05
12	PG&E	Workpapers Supporting Exhibit 2, Chapter 2, “Marginal Generation Cost Testimony”	Orans	6/9/05	6/9/05

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13	PG&E	Workpapers Supporting Exhibit 2, Chapter 3A, "Deferrable Transmission Capacity Projects"	Yeung	6/9/05	6/9/05
14	PG&E	Workpapers Supporting Exhibit 2, Chapter 3B, "Transmission Marginal Costs"	Levin	6/9/05	6/9/05
15	PG&E	Workpapers Supporting Exhibit 2, Chapter 4A, "Distribution Expansion Planning Process and Projected Costs" Volume 1 and 2	Aguirre	6/9/05	6/9/05
16	PG&E	Workpapers Supporting Exhibit 2, Chapter 4B, "Distribution Marginal Cost Calculations and Results"	Levin	6/9/05	6/9/05
17	PG&E	Workpapers Supporting Exhibit 2, Chapter 5C, "Costs of Connecting New Customers"	Levin	6/9/05	6/9/05
18	PG&E	Workpapers Supporting Exhibit 2, Chapter 5D, "Marginal Costs of Replacing Customer Access Equipment"	Levin	6/9/05	6/9/05
19	PG&E	Workpapers Supporting Exhibit 2, Chapter 5E, "Marginal Costs of Operating And Maintaining Customer Access Equipment"	Levin	6/9/05	6/9/05
20	PG&E	Workpapers Supporting Exhibit 2, Chapter 5F, "Customer Services Marginal Costs"	Peterson	6/9/05	6/9/05
21	PG&E	Workpapers Supporting Exhibit 2, Chapter 5G, "Marginal Cost Financial Factors and Loaders"	Levin	6/9/05	6/9/05
22	PG&E	Confidential Workpapers Supporting Exhibit 2, Appendix B; Withdrawn on July 12, 2005	Goebel	6/9/05	With-drawn
23	PG&E	Workpapers Supporting Exhibit 2, Appendix C, "Report of Findings Relating to Commission Directive From Decision D.97-03-017 (Distribution Load Forecasting Process)"	Aguirre	6/9/05	6/9/05
24	PG&E	Workpapers Supporting Exhibit 3, Chapter 1A, "Revenue Allocation Policy"	Pease	6/9/05	6/9/05
25	PG&E	Workpapers Supporting Exhibit 3, Chapter 1B, "Revenue Allocation Summary"	Martyn	6/9/05	6/9/05
26	PG&E	Workpapers Supporting Exhibit 3, Chapter 2 "Development of Marginal Cost Revenues"	Martyn	6/9/05	6/9/05
27	PG&E	Workpapers Supporting Exhibit 3, Chapter 3, "Customer Loads"	Seeto	6/9/05	6/9/05

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28	PG&E	Workpapers Supporting Exhibit 3, Chapter 4 “Electric Billing and Sales”	Ansar	6/9/05	6/9/05

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29	PG&E	Workpapers Supporting Exhibit 3, Chapter 5, "Electric Revenue at Present Rates"	Quadrini	6/9/05	6/9/05
31	PG&E	Workpapers Supporting Exhibit 4, Chapter 5, "Streetlight Rates and Streetlight Customer Access Marginal Costs"	Ross	6/9/05	6/9/05
32	PG&E	Update Workpapers Supporting Exhibit 3, Chapter 1A, "Revenue Allocation Policy"	Pease	6/9/05	6/9/05
33	PG&E	Update Workpapers Supporting Exhibit 3, Chapter 1B, "Revenue Allocation Summary"	Martyn	6/9/05	6/9/05
34	PG&E	Update Workpapers Supporting Exhibit 3, Chapter 2, "Development of Marginal Cost Revenues"	Martyn	6/9/05	6/9/05
35	PG&E	Workpapers Supporting Exhibit 4, Chapter 1, "Rate Design Policy and Methodology"	Bell	6/9/05	7/12/05
36	PG&E	Workpapers Supporting Exhibit 4, Chapter 2A, "Residential Rates"	Quadrini	6/9/05	6/9/05
37	PG&E	Workpapers Supporting Exhibit 4, Chapter 3, "Agricultural Rates"	Coyne, Doughty	6/9/05	7/12/05
38	PG&E	Workpapers Supporting Exhibit 4, Chapter 4, "Light and Power Rates"	Coyne	6/9/05	7/12/05
39	PG&E	Workpapers Supporting Exhibit 4, Chapter 6, "Standby Rates"	Bell	6/9/05	7/12/05
40	PG&E	Update Workpapers Supporting Exhibit 4, Chapter 2A, "Residential Rate Design"	Quadrini	6/9/05	6/9/05
41	PG&E	Settlement Agreement filed May 13, 2005 (regarding Marginal Cost, Revenue Allocation, Some Rate Design)		6/9/05	6/9/05
42	PG&E	Comparison Exhibit Supporting May 13 Settlement (PG&E-12 dated May 20, 2005)		6/9/05	6/9/05
43	PG&E	Supplemental Residential Settlement filed June 3, 2005		6/9/05	6/9/05
43A	PG&E	Supplemental Residential Settlement (July 26, 2005 motion)		8/31/05	
44	PG&E	Supplemental Small Light and Power Settlement filed June 3, 2005		6/9/05	6/9/05
44A	PG&E	Supplemental Small Light and Power Settlement (August 22, 2005 motion)		8/31/05	
45	PG&E	Comparison Exhibit Supporting Supplemental		6/9/05	7/12/05

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		Residential Settlement			

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46	PG&E	Comparison Exhibit Supporting Supplemental Small Light and Power Settlement		6/9/05	7/12/05
47	PG&E	Agreed Street Light Class Tariffs Related to PG&E's May 13th 2005 Settlement (dated June 8, 2005)	Caselli	6/9/05	6/9/05
48	PG&E	Answers to ALJ Mattson's Questions	Pease	6/9/05	6/9/05
49	PG&E	Update Workpapers Supporting Exhibit 3, Chapter 5, "Electric Revenue at Present Rates	Quadrini	6/9/05	6/9/05
50	PG&E	Update Workpapers Supporting Exhibit 4, Chapter 3, "Agricultural Rates"	Coyne	6/9/05	7/12/05
51	PG&E	Update Workpapers Supporting Exhibit 4, Chapter 4, "Light and Power Rates"	Coyne	6/9/05	7/12/05
52	PG&E	Update Workpapers Supporting Exhibit 4, Chapter 6, "Standby Rates"	Bell	6/9/05	7/12/05
53	PG&E	Answers to ALJ Mattson's Questions on Residential and Small Commercial Settlement		7/12/05	7/12/05
54	PG&E	Motion of PG&E and Settling Parties dated July 8, 2005 to Adopt Supplemental Light and Power, Agricultural, and Energy Recovery Bond Settlements (Settlements attached)		7/12/05	7/12/05
55	PG&E	Answers to ALJ Mattson's Questions on Light and Power, Agricultural, and Energy Recovery Bond Settlements		7/12/05	7/22/05
56	PG&E	Gas Baseline Target Revisions		8/31/05	
101	ORA	Testimony on Phase 2 of the PG&E GRC: Marginal Cost, Revenue Allocation, and Rate Design—All except Chapters 8 and 9	Blunt, Danforth, Irwin, Khoury, Linsey, Liang-Ujeuio, Ross	6/9/05	6/9/05
102	ORA	Rebuttal Testimony on Phase 2 of the PG&E GRC: Marginal Cost, Revenue Allocation, and Rate Design	Danforth, Khoury, Ross	6/9/05	6/9/05

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151	TURN	Prepared Testimony of William B. Marcus and Michel P. Florio: Electric Load Forecast, Marginal Cost and Revenue Allocation for PG&E	Marcus, Florio	6/9/05	6/9/05
152	TURN	Prepared Testimony of Jeffery A. Nahigian: TURN Testimony in Phase II of PG&E's 2004 General Rate Case Proceeding	Nahigian	6/9/05	6/9/05
153	TURN	Rebuttal Testimony of William B. Marcus and Michel P. Florio: Marginal Cost, Revenue Allocation and Rate Design for PG&E	Marcus, Florio	6/9/05	6/9/05
201	NRDC	Direct Testimony of Devra Bachrach	Bachrach	6/9/05	6/9/05
251	CAC/EPUC	Prepared Direct Testimony of James A. Ross	Ross	6/9/05	6/9/05
252	CAC/EPUC	Prepared Rebuttal Testimony of James A. Ross—all except page 3 line 24 to line 36, Section IV and Schedule 1	Ross	6/9/05	6/9/05
252	CAC/EPUC	Prepared Rebuttal Testimony of James A. Ross—page 3 line 24 to line 36, Section IV and Schedule 1	Ross	6/9/05	7/12/05
301	WMA	Prepared Testimony of Richard J. McCann	McCann	6/9/05	6/9/05
302	WMA	Prepared Rebuttal Testimony of Richard J. McCann	McCann	6/9/05	6/9/05

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351	BART	Direct Testimony of Francis X. Schultz on Behalf of San Francisco Bay Area Rapid Transit District	Schultz	6/3/05	6/3/05
352	BART	Declaration of Francis X. Schultz in Support of Motion of San Francisco Bay Area Rapid Transit District for Expedited Interim Decision	Schultz	6/3/05	6/3/05
401	EBMUD	Testimony on Electric Rate Design	Young	6/9/05	7/12/05
451	AECA	Prepared Direct Testimony of Richard McCann on Marginal Costs, Revenue Allocation, and Rate Design—All except Section 2.4.1.2 (last sentence on page 14 at lines 1-4); Sections 4, 4.1, 4.2, 4.3 (page 27 line 19 through page 32, line 16), and Section 5 (page 33 line 7 to page 34 line 2)	McCann, Moss	6/9/05	6/9/05
451	AECA	Prepared Direct Testimony of Richard McCann on Marginal Costs, Revenue Allocation, and Rate Design-- Section 2.4.1.2 (last sentence on page 14 at lines 1-4) and Section 5 (page 33 line 7 to page 34 line 2)	McCann, Moss	6/9/05	7/12/05
451	AECA	Prepared Direct Testimony of Richard McCann on Marginal Costs, Revenue Allocation, and Rate Design—Sections 4, 4.1, 4.2, 4.3 (page 27 line 19 through page 32, line 16); (See Tr. 171)	McCann, Moss	6/9/05	* [Tr. 171]
452	AECA	Exhibit A – Qualifications of R. McCann	McCann	6/9/05	6/9/05
453	AECA	Exhibit B – Qualifications of S. Moss	Moss	[a]	
454	AECA	Appendix A – Figure One SCE 2003 Agricultural and Pumping Rate Group Seasonal System Peak Days and Seasonal Average Workdays	McCann	6/9/05	6/9/05

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455	AECA	Rebuttal Testimony of AECA—All except Sections 1 (last bullet), 6.0 and 6.1	McCann, Moss	6/9/05	6/9/05
455	AECA	Rebuttal Testimony of AECA—Sections 1 (last bullet) and 6.1	McCann, Moss	6/9/05	7/12/05
455	AECA	Rebuttal Testimony of AECA—Sections 6.0	McCann, Moss	6/9/05	* [Tr. 171]
501	BOMA SF & BOMA CAL	Opening Testimony of Building Owners and Managers Associations	Roberts	6/9/05	7/12/05
502	BOMA SF & BOMA CAL	Rebuttal Testimony of Building Owners and Managers Associations	Roberts	6/9/05	7/12/05
551	CMTA/ICP	Prepared Direct Testimony of R. Thomas Beach	Beach	6/9/05	7/12/05
552	CMTA/ICP	Prepared Rebuttal Testimony of R. Thomas Beach	Beach	6/9/05	7/12/05
601	CFBF	Filed Testimony of Wendy L. Illingworth—All except page 8 line 11 to page 11 line 16	Illingworth	6/9/05	6/9/05
601	CFBF	Filed Testimony of Wendy L. Illingworth—Page 8 line 11 to page 11 line 16	Illingworth	6/9/05	7/12/05
602	CFBF	Rebuttal Testimony of Wendy L. Illingworth—All except page 10 line 23 through page 12 line 19	Illingworth	6/9/05	6/9/05
602	CFBF	Rebuttal Testimony of Wendy L. Illingworth—Page 10 line 23 through page 12 line 19	Illingworth	6/9/05	7/12/05
603	CFBF	Qualifications of Wendy L. Illingworth	Illingworth	6/9/05	6/9/05

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651	CLECA	Testimony of Barbara R. Barkovich and Catherine E. Yap on Marginal Costs, Revenue Allocation and Rate Design	Barkovich Yap	6/9/05	7/12/05
652	CLECA	Rebuttal Testimony of Barbara R. Barkovich and Catherine E. Yap on Marginal Cost, Revenue Allocation and Rate Design	Barkovich Yap	6/9/05	7/12/05
701	CAL-SLA	Report on Marginal Costs, Revenue Allocation, and Rate Design	Schmidt	6/9/05	6/9/05
702	CAL-SLA	Prepared Direct Testimony and Qualifications of Reed V. Schmidt	Schmidt	6/9/05	6/9/05
703	CAL-SLA	Tables to Report on Marginal Costs, Revenue Allocation, Rate Design (CAL-SLA-2)	Schmidt	6/9/05	6/9/05

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* = Exhibit identified on June 9, 2005, but not received.

[a] = Exhibit number reserved on June 9, 2005, but document not available.

Exhibit number ranges were pre-assigned as follows:

EXHIBIT NUMBERS	PARTY
1-100	PG&E
101-150	ORA
151-200	TURN
201-250	NRDC
251-300	CAC and EPUC
301-350	WMA
351-400	BART
401-450	EBMUD
451-500	AECA
501-550	BOMA
551-600	CMTA and ICP
601-650	CFBF
651-700	CLECA
701-750	CSLA

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Administrative Law Judge's Ruling Regarding Motions, Exhibits and Submission in Application 04-06-024 by using the following service:

☒ E-Mail Service: sending the entire document as an attachment to all known parties of record who have provided electronic mail addresses.

☒ U.S. Mail Service: mailing by first-class mail with postage prepaid to all known parties of record who did not provide electronic mail addresses.

Dated August 31, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.